

M/023/0095
cc: Wayne
0003



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

FILLMORE FIELD OFFICE

35 East 500 North
Fillmore, Utah 84631



In Reply Refer to:
3600-9 (UTW02000)
UTU-86555

August 7, 2009

CERTIFIED MAIL # 7008 1830 0001 1694 3155
RETURN RECEIPT REQUESTED

BRUCE NEWELL
ASH GROVE CEMENT COMPANY
PO BOX 51
NEPHI, UTAH 84648

Dear Mr. Newell:

Your Negotiated Mineral Material Sale has been assigned Bureau of Land Management (BLM) case file number UTU 86555. Please refer to this number in future communication concerning the Negotiated Sale. The sale is for 364,500 tons of sandstone to be removed over five years and covers up to eighty acres of disturbance in sec. 25: SENW, NESW, T. 13 S., R. 2 W., Salt Lake Baseline and Meridian (SLB&M). This Negotiated Sale is permitted through the Utah Division of Oil, Gas, and Mining (UDOGM) under their case file number M/023/095.

The Mineral Materials Contract, BLM serial number UTU 86555, for sec. 25: SENW, NESW, T. 13 S., R. 2 W., SLB&M is enclosed, along with contract stipulations. Please fill in the purchaser information, sign, and date the contract. In order for the contract to take effect you must return the contract for signature by the Authorized Officer, submit the required performance bond, the first installment or payment in full, and a Mineral Material Waiver (enclosed). Please submit the signed contract and payment to the Fillmore Field Office (FFO) at 35 East 500 North, Fillmore, Utah, 84631. Once the required performance bond has been accepted, the Authorized Officer will sign and date the permit and return a copy of the permit for your files. The permit will expire five years from the date of the Authorized Officer's signature or at the time the contracted amount of material has been removed.

Amount of Financial Guarantee – The FFO has determined the performance bond requirement and has determined that the amount of \$524,172.00 is sufficient to meet all anticipated performance requirements including reclamation. The amount of the performance bond was based on the operator complying with all applicable operating and reclamation requirements.

BLM's review of your proposed operations, determination that your operations as proposed will not cause unnecessary or undue degradation, and decision concerning the amount of the required

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DIV. OF OIL, GAS & MINING

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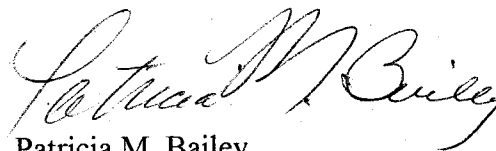
financial guarantee, does not relieve you, the operator, of your responsibility to be in compliance with all applicable Federal, state, and local laws and regulations, and to obtain all applicable Federal, state, and local authorizations and permits. You are responsible for preventing any unnecessary or undue degradation of public lands and resources.

Required Financial Guarantee - In order to complete authorization for this Mineral Material Sale financial guarantees totaling \$524,172.00 must be obligated and accepted by the Utah State Office (USO) of the BLM. You must receive written notification from that office accepting and obligating your total financial guarantee of \$524,172.00 to the case file UTU 86555 before you may begin operations under this Mineral Material Sale.

Please contact Opie Abeyta, Land Law Examiner of the BLM USO, at 801-539-4123 for further information on the adjudication of financial guarantee.

If you have any questions, please contact Jerry Mansfield, FFO Geologist, at 435-743-3125.

Sincerely,



Patricia M. Bailey
Acting Field Manager

Enclosures:

Mineral Material Sale Contract w/ stipulations
Mineral Material Waiver
Environmental Assessment
Mineral Material Appraisal w/confidential material redacted
Processing Cost Update

cc:

Wayne Western
UDOGM
1594 W North Temple Ste 1210
SLC, UT 84114

Opie Abeyta (UT-923)
Utah State Office/ BLM
PO Box 45155
Salt Lake City, UT 84145-0155